UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,611	09/22/2000	G. Victor Guyan	07752.0020	1864

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EXAMINER
FRENEL, VANEL

ART UNIT	PAPER NUMBER
3626	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/667,611	GUYAN ET AL.
	Examiner	Art Unit	
	Vanel Frenel	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09/2205</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-45</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the After-Final filed on 09/22/05. Claims 1-

45 are pending.

2.   Applicant's arguments filed on 09/22/05 with respect to claims 1-45 have been

fully considered and are persuasive. The finality of the prior Office Action mailed on

07/18/05 has been withdrawn. Therefore, a new Office Action is hereby presented.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Field (6,073,104) in view of Little et al (5,359,509).

(A)   As per claim 1, Field discloses a method for capturing line item data by a data

processing system, comprising:

receiving claim identification information from a client computer, said claim

identification information identifying an insurance claim (See Field, Col.8, lines 34-67);

querying the client computer to determine whether a spreadsheet appropriate for

the type of insurance claim needs to be downloaded to the client computer, the

spreadsheet receives the line item data (See Field, Col.8, lines 35-67 to Col.9, line 38);

downloading the spreadsheet appropriate for the type of insurance claim to the

client computer (See Field, Col.6, lines 32-67);

inserting line item data into the spreadsheet appropriate for the type of insurance

claim (See Field, Col.8, lines 35-58);

aggregating the line item data collected from the client computer (See Field,

Col.7, lines 38-67 to Col.8, line 14);

storing the line item data in an insurance host server (See Field, Col.7, lines 9-

36);

presenting the client computer with an option to enter line item data regarding the

claim through a web-based processor through a spreadsheet (See Field, Col.7, lines

31-67); when the spreadsheet option is selected (See Field, Col.7, lines 31-67); and

when the web-based process option is selected; when either the spreadsheet or the

web-based process option is selected (See Field, Col.7, lines 31-67).

Field does not explicitly disclose providing the client computer with an item tree

of line item data based on the line level; aggregating the line item data collected from

the client computer.

However, these features are known in the art, as evidenced by Little. In

particular, Little suggests providing the client computer with an item tree of line item

data based on the line level (See Little, Col.6, lines 11-68); aggregating the line item

data collected from the client computer (See Little, Col.14, lines 27-68).

It would have been obvious to one of ordinary skill in the ad at the time of the

invention to have included the feature of Little within the system Field with the

motivation of providing the creation of a method and apparatus which would increase

medical analyst productivity, provide consistent payment of payment requests and lower

the costs of healthcare (See Little, Col.4, lines 15-20).

(B)   As per claim 2, Field discloses the method wherein receiving claim identification

information further includes receiving a claim number (See Field, Col.8, lines 35-58).

(C)   As per claim 3, Field discloses the method wherein receiving claim identification

information, further includes receiving a password (See Field, Col.8, lines 35-58).

(D)   As per claim 4, Field discloses the method wherein receiving claim identification

information, further includes validating the password and the claim number (See Field,

Col.8, lines 35-58).

(E)   As per claim 5, Little discloses the method wherein the step of receiving claim

identification information further includes the step of issuing a fraud warning (See Little,

Col.7, lines 27-42).

The motivation for combining the respective teachings of Field and Little are as discussed in the rejection of claim 1, and incorporated herein.

(F)   As per claim 6, Field discloses the method further comprising receiving information into the spreadsheet when the spreadsheet option is selected (See Field, Col.7, lines 31-67).

(G)   As per claim 7, Field discloses the method wherein the aggregating comprises aggregating line item data in the spreadsheet when the spreadsheet option is selected (See Field, Col.7, lines 31-67).

(H)   As per claim 8, Field discloses the method wherein aggregating further comprises uploading the spreadsheet to the insurance host server when the spreadsheet option is selected (See Field, Col.6, lines 31-67).

(I)   As per claim 9, Field discloses the method wherein providing comprises displaying an item tree of line item data based on the line level when the web-based process option is selected (See Field, Col.8, lines 1-58).

The motivation for combining the respective teachings of Field and Little are as discussed in the rejection of claim 1, and incorporated herein.

(J)   As per claim 10, Field discloses the method wherein providing further comprises
tunneling through the item tree when the web-based process option is selected (See
Field, Col.6, lines 31-67).

The motivation for combining the respective teachings of Field and Little are as
discussed in the rejection of claim 1, and incorporated herein.

(K)   As per claim 11, Field discloses the method wherein providing further comprises
receiving a selection of a line item level data from the item tree when the web-based
process option is selected (Field, Col.6, lines 31-67).

The motivation for combining the respective teachings of Field and Little are as
discussed in the rejection of claim 1, and incorporated herein.

(L)   As per claim 12, Field discloses the method wherein aggregating comprises
updating a display of line items based on claimant's selected line items when the web-
based process option is selected (Field, Col.6, lines 31-67).

The motivation for combining the respective teachings of Field and Little are as
discussed in the rejection of claim 1, and incorporated herein.

(M)   As per claim 13, Field discloses the method further comprising updating a display
of aggregated line item data from the insurance host server when either the
spreadsheet or the web-based process option is selected (Field, Col.6, lines 31-67).

(N)   As per claim 14, Field discloses the method further comprising editing a listing of

aggregated line item level data from the insurance host server when the web-based

process option is selected (Field, Col.6, lines 31-67).

The motivation for combining the respective teachings of Field and Little are as

discussed in the rejection of claim 1, and incorporated herein.

(O)   As per claim 15, Field discloses a system for capturing line item data,

comprising:

a processor for executing programs (See Field, Col.6, lines 31-50); and

a memory for storing a program executable by the processor, the stored

program including instructions for:

(i) receiving claim identification information from a client computer, said claim

identification information comprising, a line level identifying an insurance claim (See

Field, Col.8, lines 34-67);

querying the client computer to determine whether a spreadsheet appropriate for

the type of insurance claim needs to be downloaded to the client computer, the

spreadsheet receives the line item data (See Field, Col.8, lines 35-67 to Col.9, line 38);

downloading the spreadsheet appropriate for the type of insurance claim to the

client computer (See Field, Col.6, lines 32-67);

inserting line item data into the spreadsheet appropriate for the type of insurance

claim (See Field, Col.6, lines 32-67);

aggregating the line item data collected from the client computer (See Field, Col.7, lines 38-67 to Col.8, line 14);

storing the line item data in an insurance host server (See Field, Col.7, lines 9-36);

presenting the client computer with an option to enter line item data regarding the claim through a web-based processor through a spreadsheet (See Field, Col.7, lines 31-67);

when the spreadsheet option is selected (See Field, Col.7, lines 31-67); and when the web-based process option is selected; when either the spreadsheet or the web-based process option is selected (See Field, Col.7, lines 31-67).

Field does not explicitly disclose providing the client computer with an item tree of line item data based on the line level; aggregating the line item data collected from the client computer.

However, these features are known in the art, as evidenced by Little. In particular, Little suggests providing the client computer with an item tree of line item data based on the line level (See Little, Col.6, lines 11-68); aggregating the line item data collected from the client computer (See Little, Col.14, lines 27-68).

It would have been obvious to one of ordinary skill in the ad at the time of the invention to have included the feature of Little within the system Field with the motivation of providing the creation of a method and apparatus which would increase medical analyst productivity, provide consistent payment of payment requests and lower the costs of healthcare (See Little, Col.4, lines 15-20).

(P)   As per claim 29, Field discloses a computer readable medium

containing instructions for controlling a computer system to perform a method for

capturing line item data (See Field, Col.8, lines 34-67) the method comprising:

receiving claim identification information from a client computer, said claim

identification information comprising, a line level identifying an insurance claim (See

Field, Col.8, lines 34-67);

querying the client computer to determine whether a spreadsheet appropriate for

the type of insurance claim needs to be downloaded to the client computer (See Field,

Col.8, lines 35-67 to Col.9, line 38);

downloading the appropriate spreadsheet to the client computer (See Field,

Col.6, lines 32-67);

inserting line item data into the spreadsheet appropriate for the type of insurance

claim (See Field, Col.6, lines 32-67);

aggregating the line item data collected from the client computer (See Field,

Col.7, lines 38-67 to Col.8, line 14);

storing the line item data in an insurance host server (See Field, Col.7, lines 9-

36);

presenting the client computer with an option to enter line item data regarding the

claim through a web-based processor through a spreadsheet (See Field, Col.7, lines

31-67);

when the spreadsheet option is selected (See Field, Col.7, lines 31-67); and

when the web-based process option is selected; when either the spreadsheet or the

web-based process option is selected (See Field, Col.7, lines 31-67).

Field does not explicitly disclose providing the client computer with an item tree

of line item data based on the line level; aggregating the line item data collected from

the client computer.

However, these features are known in the art, as evidenced by Little. In

particular, Little suggests providing the client computer with an item tree of line item

data based on the line level (See Little, Col.6, lines 11-68); aggregating the line item

data collected from the client computer (See Little, Col.14, lines 27-68).

It would have been obvious to one of ordinary skill in the ad at the time of the

invention to have included the feature of Little within the system Field with the

motivation of providing the creation of a method and apparatus which would increase

medical analyst productivity, provide consistent payment of payment requests and lower

the costs of healthcare (See Little, Col.4, lines 15-20).

5.   Claims 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Field (6,073,104) in view of Little et al (5,359,509), as applied to claims 1-42 above, and

further in view of Reed et al (5,862,325).

(A)   As per claims 43-45, Field and Little disclose the method wherein the querying

performed when the spreadsheet option is selected (See Field, Col.7, lines 31-67).

The combination of Field and Little do not explicitly disclose checking a cookie on the client computer; and noting whether the client computer has a particular spreadsheet.

However, these features are known in the art, as evidenced by Reed. In particular, Reed suggests that the system having checking a cookie on the client computer (See); and noting whether the client computer has a particular spreadsheet (See Reed, Col.78, lines 25-67).

It would have been obvious to one of ordinary skill in the ad at the time of the invention to have included the feature of Reed within the collective teachings of Field and Little with the motivation of providing existing communications networks and network accessing programs are used to increase the functionality of the communications system (See Reed, Col.8, lines 34-37).

(B)   .Claims 16-42 recite the underlying process steps of the elements of claims 2-14, respectively. As the various elements of claims 2-14 and have been shown to be either disclosed by or obvious in view of the collective teachings of Field, Little and Reed, it is apparent that the apparatus disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 16-42 are rejected for the same reasons given above for method claims 16-42, and incorporated herein.

Response to Arguments

6.   Applicant's arguments filed on 09/22/05 with respect to claims 1-45 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The cited but not applied art teaches electronic creation,

submission, adjudication, and payment of health insurance claims (6,343,271).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769.

The examiner can normally be reached on Monday-Thursday from 6:30am-

5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax

phone numbers for the organization where this application or proceeding is assigned

are 703-305-7687 for regular communications and 703-305-7687 for After Final

communications.

Any inquiry of a general nature or relating to the status of this application or

proceedihg should be directed to the receptionist whose.telephone number is 703-308-

1113.

V,F

V.F

October 13, 2005

HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
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